

REMARKS

Claims 61-80 are pending in this application. Applicant has cancelled Claims 41-60, without prejudice, and Applicant has added new Claims 61-80. Applicant respectfully submits that the new Claims 61-80 do not contain new matter. Applicant further respectfully submits that the amendments to the Claims do not contain new matter.

Applicant has also deleted the Abstract Of The Disclosure and has substituted therefor the new Abstract Of The Disclosure which is attached hereto on a separate sheet. Applicant respectfully submits that the new Abstract Of The Disclosure does not contain new matter.

Based on the foregoing amendments and the following Remarks, the application is deemed to be in condition for allowance and action to that end is respectfully requested.

I. THE 35 U.S.C. §102 REJECTIONS:

The Examiner asserts that Claims 41-60 are rejected under 35 U.S.C. §102(b) as being unpatentable over Ross, Jr., et al, U.S. Patent No. 6,629,135 (Ross). As noted above,

Applicant has cancelled Claims 41-60, without prejudice, and Applicant has added new Claims 61-80. Applicant respectfully submits that the new Claims 61-80 do not contain new matter.

Applicant respectfully submits that the present invention, as defined by Claims 61-80, is patentable over the prior art.

IA. THE PRESENT INVENTION, AS DEFINED BY CLAIMS 61-80, IS PATENTABLE OVER THE PRIOR ART:

Applicant respectfully submits that the present invention, as defined by Claims 61-80, is patentable over the prior art. Applicant respectfully submits that the present invention, as defined by independent Claim 61, is patentable over the prior art.

Applicant respectfully submits that the present invention, as defined by independent Claim 61, is patentable over Ross. Applicant respectfully submits that Ross does not disclose or suggest many of the specifically recited features of independent Claim 61 and, therefore, Ross does not disclose or suggest all of the features of independent Claim 61.

Applicant respectfully submits that Ross does not

disclose or suggest a computer-implemented method, comprising storing information for effectuating an affiliated marketing relationship, and detecting an occurrence of at least one of a request for advertising space, a change in an offered price for an advertising space, a change in a term or a condition for an advertising offering, an advertisement debut, and an introduction of an advertisement or an advertising campaign, all of which features are specifically recited features of independent Claim 61.

Applicant respectfully submits that Ross does not disclose or suggest the recited computer-implemented method, comprising storing the recited information for effectuating an affiliated marketing relationship, and detecting the recited occurrence of at least one of a request for advertising space, a change in an offered price for an advertising space, a change in a term or a condition for an advertising offering, an advertisement debut, and an introduction of an advertisement or an advertising campaign.

Applicant further submits that Ross does not disclose or suggest generating a message with a processing device, wherein the message contains information for effectuating an affiliated marketing relationship and

information regarding the at least one of a request for advertising space, a change in an offered price for an advertising space, a change in a term or a condition for an advertising offering, an advertisement debut, and an introduction of an advertisement or an advertising campaign, and transmitting the message to a communication device or a computer associated with a content provider or a user, all of which features are still other specifically recited features of independent Claim 61.

Applicant respectfully submits that Ross does not disclose or suggest generating the recited message with the recited processing device, wherein the recited message contains the recited information for effectuating an affiliated marketing relationship and the recited information regarding the at least one of a request for advertising space, a change in an offered price for an advertising space, a change in a term or a condition for an advertising offering, an advertisement debut, and an introduction of an advertisement or an advertising campaign. Applicant further submits that Ross does not disclose or suggest transmitting the recited message to a communication device or a computer associated with a content provider or a user.

In view of the foregoing, Applicant respectfully submits that Ross does not disclose or suggest many of the specifically recited features of independent Claim 61 and, therefore, Ross does not disclose or suggest all of the features of independent Claim 61.

In view of the foregoing, Applicant respectfully submits that the present invention, as defined by independent Claim 61, is patentable over Ross. In view of the foregoing, Applicant respectfully submits that the present invention, as defined by independent Claim 61, is patentable over the prior art. Allowance of independent Claim 61 is, therefore, respectfully requested.

Applicant further submits that Claims 62-80, which Claims 62-80 depend either directly or indirectly from independent Claim 61, so as to include all of the limitations of independent Claim 61, are also patentable over the prior art as said claims 62-80 depend from allowable subject matter.

Regarding Claim 62, Applicant respectfully submits that Ross does not disclose or suggest the computer-implemented method of Claim 61, wherein the message is

transmitted to the communication device or the computer in real-time.

Regarding Claim 63, Applicant respectfully submits that Ross does not disclose or suggest the computer-implemented method of Claim 61, further comprising processing information to establish the affiliated marketing relationship.

Regarding Claim 64, Applicant respectfully submits that Ross does not disclose or suggest the computer-implemented method of Claim 61, further comprising storing information regarding at least one of an advertisement space, an advertisement rate, a commission, a referral fee, and a term or condition of an advertisement offering, receiving a query regarding an available at least one of an advertisement space, an advertisement rate, a commission, a referral fee, and a term or condition of an advertisement offering, wherein the query is transmitted from a second communication device or second computer associated with a merchant, processing the query and generating a second message in response to the query, wherein the second message includes information regarding at least one of an advertisement space, an advertisement rate, a commission, a referral fee, and a term

or condition of an advertisement offering, and transmitting the second message to the second communication device or second computer associated with the merchant.

Regarding Claim 65, Applicant respectfully submits that Ross does not disclose or suggest the computer-implemented method of Claim 61, further comprising processing information regarding a purchase of an advertisement space or an advertisement service and an establishing of the affiliated marketing relationship.

Regarding Claim 66, Applicant respectfully submits that Ross does not disclose or suggest the computer-implemented method of Claim 61, further comprising processing information regarding a bid for an advertisement space or an advertisement service.

Regarding Claim 67, Applicant respectfully submits that Ross does not disclose or suggest the computer-implemented method of Claim 61, further comprising storing information regarding at least one of an advertisement space, an advertisement rate, a commission, a referral fee, and a term or condition of an advertisement offering, receiving a query regarding an available at least one of an advertisement

space, an advertisement rate, a commission, a referral fee, a term or condition of an advertisement offering, and an affiliated marketing relationship, wherein the query is transmitted from a second communication device or second computer associated with a merchant, processing the query and generating a second message in response to the query, wherein the second message includes information regarding at least one of an advertisement space, an advertisement rate, a commission, a referral fee, a term or condition of an advertisement offering, and transmitting the second message to the second communication device or second computer associated with the merchant.

Regarding Claim 68, Applicant respectfully submit that Ross does not disclose or suggest the computer-implemented method of Claim 61, further comprising processing information regarding an auctioning of an advertisement space or an advertisement service.

Regarding Claim 69, Applicant respectfully submits that Ross does not disclose or suggest the computer-implemented method of Claim 61, further comprising determining a commission or a referral fee due under an affiliated marketing relationship.

Regarding Claim 70, Applicant respectfully submits that Ross does not disclose or suggest the computer-implemented method of Claim 61, wherein the message includes information regarding at least one of a past success rate of an advertisement and a success rate of the content provider.

Regarding Claim 71, Applicant respectfully submits that Ross does not disclose or suggest the computer-implemented method of Claim 64, wherein the second message includes information regarding at least one of a past success rate of an advertisement and a success rate of the content provider.

Regarding Claim 72, Applicant respectfully submits that Ross does not disclose or suggest the computer-implemented method of Claim 61, further comprising processing information regarding a web site or link visited, utilized, or navigated, by an individual or the user in connecting to a communication device or computer associated with a merchant.

Regarding Claim 73, Applicant respectfully submits that Ross does not disclose or suggest the computer-implemented method of Claim 61, further comprising administering a financial account for a merchant or

the content provider.

Regarding Claim 74, Applicant respectfully submits that Ross does not disclose or suggest the computer-implemented method of Claim 61, further comprising at least one of processing a financial transaction for a merchant or the content provider, effectuating a payment from a merchant to the content provider, and receiving a payment on behalf of the content provider.

Regarding Claim 75, Applicant respectfully submits that Ross does not disclose or suggest the computer-implemented method of Claim 61, wherein the message is transmitted on or over the Internet or the World Wide Web.

Regarding Claim 76, Applicant respectfully submits that Ross does not disclose or suggest the computer-implemented method of Claim 64, wherein the second message is transmitted on or over the Internet or the World Wide Web.

Regarding Claim 77, Applicant respectfully submits that Ross does not disclose or suggest the computer-implemented method of Claim 61, further comprising processing information regarding a transaction pursuant to an affiliated

marketing relationship, generating a transaction notification report containing information regarding the transaction and a commission or a referral fee due to the content provider, and transmitting the transaction notification report to the communication device or computer associated with the content provider or user.

Regarding Claim 78, Applicant respectfully submits that Ross does not disclose or suggest the computer-implemented method of Claim 61, further comprising processing information regarding a transaction pursuant to the affiliated marketing relationship, generating a transaction notification report containing information regarding the transaction and a commission or a referral fee due to the content provider, and transmitting the transaction notification report to the communication device or computer associated with the content provider or the user.

Regarding Claim 79, Applicant respectfully submits that Ross does not disclose or suggest the computer-implemented method of Claim 61, further comprising establishing the affiliated marketing relationship between the content provider and a merchant, identifying the content provider involved in a transaction pursuant to the affiliated

marketing relationship, and providing notification to the content provider of the transaction.

Regarding Claim 80, Applicant respectfully submits that Ross does not disclose or suggest the computer-implemented method of Claim 79, further comprising determining a commission or referral fee due to the content provider, and effecting a payment of the commission or referral fee to the content provider.

In view of the foregoing, Applicant respectfully submits that dependent Claims 62-80 are patentable over Ross. In view of the foregoing, Applicant respectfully submits that dependent Claims 62-80 are patentable over the prior art.

Allowance of Claims 61-80 is, therefore, respectfully requested.

II. CONCLUSION:

In view of the foregoing, the application is deemed to be in condition for allowance and action to that end is respectfully requested. Allowance of pending Claims 61-80 is respectfully requested.

As noted above, a Petition For Extension of Time under 37 C.F.R. 1.136(a) for a One-Month Extension of Time, along with a Credit Card Payment Form for \$60.00 for the fee for the Petition for a One-Month Extension of Time and a Fee Transmittal Sheet (in duplicate), are submitted herewith.

Applicant respectfully requests a One-Month Extension of Time to respond to the Office Action, mailed February 24, 2005.

Respectfully Submitted,



Raymond A. Joao

Reg. No. 35,907

Encls.: - Abstract of the Disclosure
- Petition For Extension of Time under 37 C.F.R. 1.136(a) for a One-Month Extension of Time
- Credit Card Payment Form for \$60.00 for the fee for the Petition for a One-Month Extension of Time
- Fee Transmittal Sheet (in duplicate)
- Return Receipt Postcard

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